

Tribal Waste Management Performance Measure Background

- EPA has initiated formal consultation and coordination with federally-recognized Indian tribes on the following draft new tribal waste management performance measure:

Number of tribes where waste management program capacity has been improved through EPA technical assistance.

- EPA's anticipated timeline for the consultation and coordination period is expected to extend from August 29, 2014 through September 29, 2014.
- The new tribal waste management performance measure is being developed in response to the Office of Inspector General's (OIG) Evaluation Report, *EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance*, which recommended that the EPA develop "performance measures, including both output and outcome measures, to track whether its assistance is consistent and effective in developing solid waste management capacity and reducing risks from open dumps in Indian country." Consequently, EPA committed to evaluate a new tribal waste management performance measure as part of *The Environmental Agency-Wide Plan to Provide Solid Waste Management Capacity Assistance to Tribes* by October 2014.
- EPA is particularly interested in whether tribes believe that this performance measure is feasible and accurately captures the impact of EPA's tribal waste management program efforts.
- In addition, as part of this performance measure development process, EPA will develop internal guidance that provides clarity regarding the activities which constitute technical assistance. Therefore, EPA seeks tribal input regarding the types of technical assistance which have been or can be provided by EPA, and how such assistance improves tribal waste program capacity. The following are examples of some of the different types of technical assistance that EPA uses to assist tribes in developing sustainable waste management programs:
 - Assist tribes with using the Sustainable Evaluation Tool;
 - Assist in peer matching efforts;
 - Conduct in-depth, on-site field technical and compliance assistance to interested tribes;
 - Technical support concerning issues such as waste collection and management, recycling, and waste prevention;
 - Support to the tribes in developing and implementing Integrated Waste Management Plans (IWMP), including reviews for technical accuracy and reviewing draft codes and ordinances;
 - Assist with construction debris management and disaster management planning;

- Assist with identifying and assessing open dumps consistent with a tribally approved IWMP, particularly those that may affect drinking and surface water; and
 - Provide training on developing and improving solid waste programs, including one-on-one direct technical assistance and peer matching opportunities.
- EPA provided an opportunity for preliminary tribal input on performance measures from May 19 through June 13, 2014, via the National Tribal Conference Call led by Mathy Stanislaus, Office of Solid Waste and Emergency Response (OSWER) Assistant Administrator, informal regional discussions, and an email address box that was established for submittal of written comments. EPA received general input and ideas from tribes.
- EPA is planning to include the draft performance measure within the FY 2016 President's Budget for OSWER, which is currently under development. Thus, the performance measure can only reflect the limited resources of the OSWER funded EPA tribal waste program, which includes EPA staff in the regions and a small amount of funding.
- The performance measure would be fully implemented in FY 2016.
- One additional overarching issue that EPA has taken into consideration is that implementing the measure should not impose an additional burden on tribes.
- The measure does not reflect the impact of the Indian Environmental General Assistance Program (GAP) funding that EPA provides to tribes. There is a separate effort led by the American Indian Environment Office (AIEO) to develop performance measures that will assess the effectiveness of the GAP funding.